

City Council Agenda

Council President
Brad Castillo

Councilmembers

Tom Boyajian

Brian Calhoun
Mike Dages

City Manager
Daniel G. Hobbs

Jerry Duncan

City Clerk
Rebecca E. Klisch , CMC

Henry T. Perea, Acting President
Cynthia Sterling

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650

The City Council welcomes you to this meeting.

TUESDAY, APRIL 13, 2004

If you would like to speak, fill out a speaker request form available from the City Clerk's Office and in the Council Chambers. The agenda is available on (www.ci.fresno.ca.us). The Council meeting can also be heard live at the same web site address.

8:30 A.M. ROLL CALL

Invocation by Father Perry of the St. Paul Newman Center

Pledge of Allegiance to the Flag

SPCA Pet of the Month - Councilmember Boyajian

Proclamation of "CHILD ABUSE PREVENTION MONTH" - All Councilmembers

1. Authorize staff to display at City Hall the flag commemorating Child Abuse Prevention Month - Council President Castillo

Proclamation of "NATIONAL TELECOMMUNICATORS WEEK" - City Manager

Proclamation of "POETRY IN MOTION DAY" - Councilmember Boyajian

Presentation of a Life Saver Commendation to Clark Lima of the Fresno City Water Division - Acting President Perea

Proclamation of "NATIONAL TARTAN DAY" - Councilmembr Calhoun

Council action on unscheduled items, if any, shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda. For each matter considered by the Council, there will first be a staff presentation, followed by a presentation from the project applicant. Testimony from those in attendance will then be taken. All testimony given will be limited to three minutes per person.

The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with one minute remaining and one tone will sound. The speaker should be completing the testimony by the time the red light comes on and two tones sound, indicating that time has expired.

Approve minutes of March 30, 2004

Action Taken:

Approve Joint Powers Financing Authority minutes of March 30, 2004

Action Taken:

Councilmember Reports and Comments

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

1. **GENERAL CONSENT CALENDAR**

(All consent calendar items are considered to be routine and will be treated as one agenda item. The Consent Calendar will be enacted by one motion. Public comment on the Consent Calendar is limited to three (3) minutes per speaker. There will be no separate discussion of these items unless requested by a Councilmember, in which event the item will be removed from the Consent Calendar and will be considered at 2:00 p.m.

- A. * **RESOLUTION** - Approving the reallocation of \$500,000 from Peace Officer Standards and Training (POST) contingency to continue to meet expenses associated with the provision of Police Officer training ***(Requires 5 affirmative votes)*** - Police Dept.

Action Taken:

- B. **RESOLUTION** - Authorizing application to the U.S. Department of Homeland Security through the State of California Governor's Office of Emergency Services for \$7 million of the Urban Area Security Initiative Grant Program and completion of related documents - Police Department

Action Taken:

1. **GENERAL CONSENT CALENDAR CONTINUED**

- C. Pursuant to Section 8 of 2002 Fresno City/County Traffic Safety Enforcement Agreement, authorize City Manager, or his designee, to modify agreement, as needed - Police Department
Action Taken:
- D. * Award a contract to Insituform Technologies of Chesterfield, MO for construction of sewer rehabilitation in California Avenue - General Services Dept./Public Utilities Department
Action Taken:
- E. * Award a requirements contract to Carbon Activated Corporation of Compton, California to remove and/or install granular activated carbon - General Services Dept./Public Works Dept.
Action Taken:
- F. * **RESOLUTION** - 75th amendment to AAR No. 2003-209 appropriating \$724,200 for the upgrade of the PeopleSoft financial software (***Requires 5 affirmative votes***) - Information Services Department
Action Taken:
- G. Authorize the acquisition of street easements from four (4) parcels and authorize acceptance of a right of entry agreement for one (1) parcel for right-of-way for the widening of North Avenue between Freeway Route 41 and Freeway Route 99 - Public Works Dept.
Action Taken:
- H. Approve appointments of Gene Richards (District 3), William M. Scott (District 2) and James M. Poptanich (District 2) to the Bicycle and Pedestrian Advisory Committee - Public Works Dept.
Action Taken:
- I. Adopt a Resolution of Intention to annex Final Tract No. 5163 to the City of Fresno Community Facilities District No. 2, Annexation No. 68 - Public Works Dept.
Action Taken:
- J. **RESOLUTION** - Extending payment of salary difference benefits and the City's portion of the employees' health and welfare contributions to permanent City employees called into active duty as a result of the ongoing Middle Eastern conflict - City Manager's Office
Action Taken:
- K. Authorize the Chief Information Officer to negotiate and enter into a contract with Oracle Corporation for a Municipal Enterprise License, Support and Maintenance Agreement pursuant to California Multiple Acquisition Schedule - Information Services Department
Action Taken:
1. **RESOLUTION** - Approving Municipal Payment Plan Agreement and Payment Schedule with Oracle Credit Corporation for project financing
Action Taken:
- L. * **RESOLUTION** - 12th amendment to Salary Resolution No. 2003-213 changing the status of the class of Claim Specialist to exempt - Personnel Dept.
Action Taken:
- M. * **RESOLUTION** - 9th amendment to PAR No. 2003-210 adding one (1) position to the Police Department for the Prostitution Abatement and Rehabilitation Program - Police Dept.
Action Taken:

1. **GENERAL CONSENT CALENDAR CONTINUED**

- N. * **RESOLUTION** - 80th amendment to AAR No. 2003-209 appropriating \$951,000 to fund increases in FCEA and FPOA Memorandums of Understanding (MOU) and legal costs associated with defense of contract counsel cases **(Requires 5 affirmative votes)** - Finance Dept.

TIME SCHEDULED HEARINGS AND MATTERS

- 9:15 AM#1** Presentation by California Public Utilities Commissioner Loretta Lynch on various issues including report on Town Hall Train Safety Meeting. - Councilmember Calhoun
Action Taken:
- 9:15 AM#2** Presentation by PG&E regarding franchise fees - Council President Castillo
Action Taken:
- 9:30 A.M.** Give staff direction regarding liability insurance options for Storyland and Playground - Councilmember Duncan
Action Taken:
- 10:00 A.M.** **HEARING** to consider vacation of Washington Avenue between Thesta Street and the Fresno-Howard Alley, Howard Street between McKenzie Avenue and Washington Avenue, and the Howard-Thesta Alley north of McKenzie Avenue (R.I. No. 1033-D)
Action Taken:
a. * **RESOLUTION** - Ordering the vacation of portions of Washington Avenue, Howard Avenue and the Thesta-Howard alley
Action Taken:
- 10:15 A.M.** **HEARING** to consider the adoption of a resolution vacating the southeast 100 feet of the Broadway-"H" Alley between Amador and Sacramento Streets (R.I. No. 1034-D) - Public Works Dept.
Action Taken:
a. * **RESOLUTION** - Ordering the vacation the southeast 100 feet of the Broadway-"H" Alley between Amador and Sacramento Streets
Action Taken:
- 10:30 A.M.** **HEARING** to consider Plan Amendment No. A-03-11, Rezone Application No. R-03-57, filed by John Allen **(Continue to 4/20/2004 @ 11:00 a.m.)**
Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

10:45 A.M. JOINT SESSION WITH THE FRESNO REDEVELOPMENT AGENCY

Approve Agency of March 30, 2004

Action Taken:

- A. **JOINT HEARING** with the Redevelopment Agency to consider and recommend that the City Council/Redevelopment Agency of the City of Fresno approve the Housing Project including the joint resolution approving the Disposition and Development Agreement between the Redevelopment Agency and 1145 San Benito Avenue, LP, A California Limited Partnership by the Corporation for Better Housing, its managing general partner (The "Developer") to sell two (2) Redevelopment Agency properties for the development of fifty-five (55) apartment units subject to affordability restrictions

Action Taken:

1. **RESOLUTION** - Approving the Disposition and Development Agreement between the Redevelopment Agency and 1145 San Benito Avenue, LP, A California Limited Partnership by the Corporation for Better housing, its managing general partner (The "Developer") to sell two (2) Redevelopment Agency properties for the development of fifty-five (55) apartment units subject to affordability restrictions

Action Taken:

ADJOURN AGENCY

2:00 PM #1 CONTESTED CONSENT ITEMS

2:00 PM #2 CLOSED SESSION

- A. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** - Government Code Section 54956.9, Subdivision (a)

1. **Case Name:** Scott David Hardie v. City of Fresno, et al.
2. **Case Name:** Joe Anthony Madrid v. City of Fresno, et al.
3. **Case Name:** Linda Taylor v. City of Fresno, et al.
4. **Case Name:** Friends of Dickey Playground v. City of Fresno, et al.
5. **Case Name:** A.H.D.C. v. City of Fresno, et al.
6. **Case Name:** Bakman Water Company, Inc. V. Boeing North American, Inc.; City of Fresno; the United States of America, Department of the Army Corps of Engineers, et al.; USDC Case No. CIV F-01-6249 REC DLB

Action Taken:

- B. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION** - Government Code Section 54956.9, Subdivision (b)
Significant Exposure to Litigation:

1. **Case Name:** Old Hammerfield/Fresno Air Terminal ("OHF/FAT") environmental site

Action Taken:

2:00 PM #3 CLOSED SESSION ANNOUNCEMENTS (IF ANY)

2. **GENERAL ADMINISTRATION**

- A. **RESOLUTION** - Authorizing and approving the borrowing of funds for Fiscal Year 2004-2005; the issuance and sale of a 2004-2005 Tax and Revenue Anticipation Notes therefor and participation in the California Communities Cash Flow Financing Program - Finance Dept.
Action Taken:

3. **CITY COUNCIL**

- A. Request the City Council approve the proposed landscape and parking improvements and the relocation of a canopy located at Guadalajara Restaurant, 3020 N. Weber, and waive the installation requirement of the sidewalks, curbs and gutters - Councilmember Boyajian
Action Taken:
- B. Discussion regarding the proposed River Ranch Estates Subdivision and North Fork Village Infrastructure Master Plan and Design Guidelines: rezoning to match subdivision plan in Madera that borders the San Joaquin River - Councilmember Calhoun
Action Taken:

4. **PUBLIC COMMENT PERIOD - No Council action except to place on future agenda.
Presentation limited to three (3) minutes.**

A. **SCHEDULED PUBLIC COMMENT**

- B. **UNSCHEDULED COMMUNICATION** - Members of the public may address the Council regarding items that are not listed on the agenda and within the subject matter jurisdiction of the Council. Each person is limited to a three (3) minute presentation. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date.

SCHEDULED COUNCIL HEARINGS AND MATTERS

Apr.	20 -	10:00 A.M.	Presentation of Employee Service Awards <i>(Reception immediately following - 2nd floor foyer)</i>
Apr.	20 -	11:00 A.M.	CONTINUED HEARING re: Plan Amendment No. A-03-11, Rezone Appl. No. R-03-57, filed by John Allen
Apr.	20 -	2:30 P.M.	TEFRA HEARING re: Community Medical Centers Cedar Vista Behavioral Center - Finance Dept.
Apr.	27 -	8:30 A.M.	Presentation of P.R.I.D.E. Team Certificates <i>(Reception immediately following - 2nd floor foyer)</i>
Apr.	27 -	10:00 A.M.	HEARING re: Rezone Application No. R-03-14, filed by Sunridge Developers, property located on the west side of Clovis Avenue betw. E. Church and E. Jensen
Apr.	27 -	10:45 A.M.	Zoo Committee report <i>(Action to be requested)</i>
Apr.	27 -	2:15 P.M.	JOINT WORKSHOP re: Caltrans and City Partnership - Public Works and Planning and Development Depts. - Council President Castillo
May	11 -	10:00 A.M.	Presentation by Public Safety Commission
May	11 -	10:30 A.M.	HEARING re: Rezone Appl. No. R-03-55, filed by Bennett Development, Inc.
May	11 -	10:40 A.M.	HEARING re: Rezone Appl. No. R-03-61, filed by Artel Farms, Inc.
May	11 -	10:45 A.M.	HEARING re: Rezone Appl. No. R-03-68, filed by Ciao Properties
May	11 -	2:30 P.M.	WORKSHOP re: Public Art
May	18 -	10:00 A.M.	HEARING regarding Community Facilities District No. 2, Annexation No. 68 Final Tract Map No. 5163 -Public Works Dept.
May	25 -	2:30 P.M.	WORKSHOP re: ADA Advisory Council - Public Works Dept. (1 Hour) - Meeting Room "A" - 2165N

FUTURE WORKSHOP *(Date to be determined)*

WORKSHOP re: Consideration of additional services to be provided by Community Facilities Districts in the City of Fresno - Public Works Dept. - **Meeting Room "A" - 2165N**

WORKSHOP re: Urban forest - Parks, Recreation and Community Services Dept. and Public Works Dept. - **Meeting Room "A" - 2165N**

